

**MINUTES OF REGULAR MEETING October 17, 2013****1. CALL TO ORDER**

Mayor McBride called the meeting to order at 7:00 p.m.

- 2. "Sunshine Law" Announcement-**Adequate notice of this public meeting has been provided by the Special Notice; published in the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk's Office.

**3. FLAG SALUTE****4. ROLL CALL**

	Present	Absent
Mr. Severino		X
Mr. Mazza	X	
Mr. Hirt	X	
Ms. McBride	X	
Mr. Bischoff	X	

Also present: J.P. Jost, Attorney; Tom Decker P.E. and Ella M. Ruta, Twp. Clerk

**5. APPROVAL OF PRIOR MEETING MINUTES**

- a. Regular and Executive Session Meeting Minutes of October 2, 2013.

The Mayor made the following corrections to the Regular Meeting Minutes: P. 13 Mayor's Report add "decommissioning" and "of" on line 2.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza		X	X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff	X		X			

Motion carried

**6. VISITORS****7. REPORTS RECEIVED**

- Dept. of Roads & Facilities- Week Ending 10/04/13.
  - Municipal Court – September 2013
  - Tax Collector – September 2013
  - Engineer's Report
- Race St. Stream Bank Stabilization Project. I am working on paperwork with contractor and Attorney.
  - Race St. damage from culvert construction. Have not yet been successful in setting a date and time for meeting with County and contractor.
  - Demolition of old municipal building. Completed the funding ordinance, needs to be approved. I will need to know the timing for utilities and decommissioning, etc. The Mayor asked the Committee if they are comfortable with going forward with some of the utility work now. Committee agreed. Further discussion.
  - The invoice from Asphalt Paving Systems for the chip seal has been received and will be processed for the next meeting.

- The Mayor mentioned a second request for a “bus stop warning sign” at Panorama Place and Rupell Road. Referred to the Engineer.

## 8. CORRESPONDENCE / WRITTEN COMMUNICATIONS

Mr. Hirt reported the following correspondence: None

Mr. Bischoff reported the following correspondence:

- NJ LM Mayor’s Advisory
- Re: Constitutional Issues involved Holiday Displays
- Re: NJ Supreme Court Decision-COAH Third Round Rules
- League Foundation Releases Latest White Paper – challenges faced by municipalities when the deed restrictions on affordable housing units expire. Discussion.
- Re: S-2/A – 1171, Shared Services Amendments Weaken Management Reform.

Mr. Mazza reported the following correspondence: None

Ms. McBride reported the following correspondence: None

## 9. PUBLIC COMMENTS

- Tom Cannan – generator for municipal building. Will explore options.

## 10. PUBLIC HEARING

## 11. OLD BUSINESS

## 12. NEW ORDINANCE – 1<sup>ST</sup> Reading

## 13. NEW BUSINESS

- a. Following resolution introduced for adoption:

**TOWNSHIP OF UNION  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

### **RESOLUTION #2013-109**

**Resolution to award a contract in excess of \$21,000, pursuant to a Cooperative Purchasing Agreement and N.J.A.C. 5:34-7.11 for rock salt.**

**WHEREAS**, The Township of Union is a member of Cooperative Pricing Unit, and;

**WHEREAS**, the Hunterdon County Board of Chosen Freeholders has awarded a Master Contract to International Salt, Inc. (Rock Salt) to provide rock salt for the County and members of the Cooperative Pricing System for Snow and Ice Control Materials Bid No. 2013-17 for the 2013-2014 season, said contract period being from October 1, 2013 to September 30, 2014; and

**WHEREAS**, the price (Rock Salt) agreed upon by contract is \$51.28 per ton; and

**WHEREAS**, pursuant to N.J.A.C. 5:34-7.11, the Township of Union desires to authorize the award of a contract which exceeds the bid threshold (\$21,000) under the master contract awarded by the County, as a member participant.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey as follows:

1. The Township hereby authorizes its purchasing agent to purchase rock salt pursuant to the master contract awarded by the Board of Chosen Freeholders to Atlantic Salt, Inc. referenced above, and each such purchase order shall bear the identification code of 51-HCCPS, and said identification number shall be shown on all forms pertaining thereto.
2. This resolution shall become effective immediately.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff	X		X			

Motion carried

- b. Following resolution introduced for adoption:

**RESOLUTION #2013-110**  
**UNION TOWNSHIP, HUNTERDON COUNTY**  
**Animal Control Officer – Laura Roerig**

**WHEREAS**, Traci Fleming submitted her resignation from the position of the Township of Union Animal Control Officer; and

**WHEREAS**, Laura Roerig, certified Animal Control Officer in the State of New Jersey has expressed an interest in same;

**THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Union to appoint Laura Roerig as the Township of Union Animal Control Officer, effective October 2, 2013 at an annual salary of \$8,000.00.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff	X		X			

Motion carried

#### 14. REPORTS

- a. Attorney's Report

## MINUTES OF REGULAR MEETING October 17, 2013

- Matters for Executive Session
- Sent letter to County Freeholders re: deceleration lane at Wellington West.
- Followup date for meeting with Pilot. Discussion of paving and DOT.

**b. Committee Report**Mr. Hirt reported the following:

- Estimates for waterproofing the basement discussed.

Mr. Bischoff reported the following:

- Quote “How happy is he born and taught That serveth not another’s will; Whose armour is his honest thought, and simple truth his utmost skill!” Sir Henry Wootton 1568 – 1639.
- Meeting with the Mayor and Mr. Carl Hintz re: the Master Plan.
- I will setup a meeting with Foster Wheeler to discuss wastewater management maps.
- I will contact Senator Lance again because we never received a response to the municipal bond issue.

Mr. Mazza reported the following:

- Golf outing was a success.
- Request that the existing pole light in our back parking lot be turned on.
- Executive session
- The Mayor and I went to Finn Road Park to find a new home for the shed.
- The Mayor spoke about the garage at the park.

**c. Mayor’s Report**

- October 5<sup>th</sup>, Saturday met with Mike Gronsky, President of the Union Forge Heritage Association. Went to old municipal building to look at the inside of the building and he wrote us a letter to request some items that are in the building; lights, doors, screen doors, bench.

**Motion: To donate certain fixtures and property from the old municipal building to Union Forge Heritage Association, a non-profit, subject to their being the property of Union Township. If such of the items are not Union Township property shall be referred to the Historical Society for immediate disposition.**

Voice Vote	Moved	Seconded	Absent
Mr. Severino			X
Mr. Mazza	X		
Mr. Hirt		X	
Ms. McBride			
Mr. Bischoff			

Motion carried by unanimous favorable vote

- Met with the garage door repairman at the Hoffman garage, three new locks installed and repaired all three of the doors for \$300.00. Thanks to Mr. Hummer for his excellent service. Cub Scouts also requested use of the garage for storage.

**Motion: To allow Cub Scout Pack 119 the same privileges as the Boy Scouts, subject to an agreement and insurance certificate naming Union Township as additional insured.**

## MINUTES OF REGULAR MEETING October 17, 2013

Voice Vote	Moved	Seconded	Absent
Mr. Severino			X
Mr. Mazza	X		
Mr. Hirt			
Ms. McBride			
Mr. Bischoff		X	

Motion carried by unanimous favorable vote

- Mayor McBride said Mr. Hummer pointed out that there is carpenter ant damage in the rafters. She contacted Viking Pest Control for an estimate. Mr. Mazza suggested we call our current pesticide provider, Merlin for an estimate. There is an oak tree in the back that needs to be taken down, Mr. Mazza will have DR&F check it out.
- Mr. Bischoff and I met with the President of Kramer Electronics, David Bright, on October 11<sup>th</sup> for a tour of the building.
- October 15<sup>th</sup> I met with the OEM Coordinator and Deputy and talked about a FEMA two day course for school emergencies which the Deputy OEM Coordinator has attended. Tom Cannan and I would like to attend as well. I will contact the Board of Education to discuss level of interest.
- Mayor McBride suggested that this year's appreciation dinner be called "Annual volunteer and employee appreciation dinner". The Committee agreed to hold it on Thursday, December 5<sup>th</sup>. The Mayor proposed that there be recognition for a "volunteer of the year" and an "employee of the year". After discussion, the Committee decided on "volunteer of the year" award only. Nominations will be taken during the Executive Session at the November 6<sup>th</sup> Committee Meeting.
- MEL education session on Wednesday, November 20<sup>th</sup> at 3:45 p.m. at the League.

#### d. Clerk's Report

### 15. PUBLIC COMMENTS

- Tom Cannan thanked the Clerk for assisting with first responder sign up. The township received \$38,000.00 from FEMA for Sandy Storm damage.

### 16. PAYMENTS OF BILLS

The approved list of bills and all claims against the Township of Union as appearing in the Claims Register of this date paid and that all checks listed hereinafter issued in payment thereof.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza	X		X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

### 17. EXECUTIVE SESSION

The following Resolution introduced for adoption:

**RESOLUTION #2013 - 111**  
**Providing for a Meeting Not Open to the Public in Accordance with the**

## MINUTES OF REGULAR MEETING October 17, 2013

**Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12**

**WHEREAS**, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

**WHEREAS**, the *Open Public Meetings Act*, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. \_\_\_\_\_ *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
2. \_\_\_\_\_ *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
3. \_\_\_\_\_ *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program , including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
4. \_\_\_\_\_ *Matters Relating to Collective Bargaining Agreements*: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
5. \_\_\_\_\_ *Matters Relating to the Purchase, Lease of Acquisition of Real Property or the Investment of Public Funds*: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
6. \_\_\_\_\_ *Matters Relating to Public Safety and Property*: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
7.   X   *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is require in order for the attorney to exercise his ethical duties as a lawyer.
8.   X   *Matters Relating to the Employment Relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

## MINUTES OF REGULAR MEETING October 17, 2013

9. \_\_\_\_\_ *Matters Relating to the Potential Imposition of a Penalty:* Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Union, assembled in public session on October 17, 2013 at 8:33 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza	X		X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff		X	X			

Motion carried

Motion to come out of Executive Session at about 9:08 p.m.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza	X		X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

The following action taken after coming out of Executive Session:

**Motion: Authorize our Special Counsel Jonathan Drill to handle this matter on behalf of the Township with Fallon Construction regarding the Renaissance Development and all related matters to this dispute.**

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza		X	X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff	X		X			

Motion carried by unanimous favorable vote

**18. ADJOURNMENT** – There being no further business to come before the Township Committee at this time Mr. Bischoff made a motion to adjourn the meeting at 9:10 p.m. Mr. Mazza seconded the motion. Motion carried by unanimous favorable roll call vote.

Prepared by: Patricia Essig, Deputy Clerk

Michele McBride, Mayor